

Unsealed 5/27/03

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION**

FILED BY JL DKT

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S.D. OF FL.-MIAMI

CASE NO. 01-668-Cr-MIDDLEBROOKS/BROWN

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROMAN HERNANDO SUAREZ-LOPEZ,

Defendant.

**SEALED
UNOPPOSED MOTION FOR CONTINUANCE
OF THE SENTENCING HEARING**

COME NOW the Defendant, ROMAN HERNANDO SUAREZ-LOPEZ, by
and through his undersigned attorney and respectfully file his Motion for Continuance
of the Sentencing Hearing and as grounds therefore would state as follows:

1. The sentencing hearing in this cause is currently set for October 31st,
2002 before the Honorable Magistrate Judge Stephen Brown.

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2. The Defendant has been free on bond and has been fully complying with all conditions of his release.

3. Since the date of his plea the Defendant has been extensively debriefed by Government agents. There is only one pending matter. The Defendant's assistance and/or testimony may be needed in a related case involving criminal tax violations. Undersigned counsel has been informed by the Government that efforts are being made to resolve that case but if those efforts prove unsuccessful that the Defendant's testimony before the Grand Jury may be required shortly.

4. Accordingly, it would be in the best interests of the defendant, the Government, and the Court that the sentencing of the defendant be deferred until this effort regarding assistance is fully completed.

5. A continuance of the sentencing date would enable the Government to insure that the provisions of the plea agreement with the defendant is complied with. In addition, it would enable the Court to entertain a 5K1.1 motion, if applicable, at the same time as the Defendant's sentencing.

6. In summary, no prejudice will be suffered by the Government, the defendants or the Court by the granting of this continuance. On the other hand, the continuance will insure that the defendant complies with his plea agreement, allow

the Court to maximize its limited resources, and permit the Government to evaluate his assistance.

7. This motion has been brought to the attention of the United States Attorney, Gregory Tortella, Esquire and he has stated that he has no objections whatsoever to the same.

WHEREFORE, the Defendant, **ROMAN HERNANDO SUAREZ-LOPEZ**, by and through his undersigned counsel respectfully requests that this Court continue the sentencing date until after December 15th, 2002.


CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that a true and correct copy of the foregoing Motion to Continue the Sentencing Hearing has been furnished to: Gregory Tortella, Esquire, Assistant United States Attorney, Trial Counsel, Department of Justice, Criminal Division, 600 E. St., N.W., Room 5810, Washington, D.C. 20530 by United States mail, this 22 day of October, 2002.

Respectfully submitted,

ROJAS, OLIVA & VENTURA
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By: _____


Ruben Oliva, Esq.
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[vdktttext]

Case Selection
Dkt type: cr Case Number: 1 -668 Division: 1
Title : USA .V. Suarez-Lopez

Filed	Entry Date	Last Update	History ID	Docketed by
10/24/02	10/28/02	**/**/**	5433599	sp

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SEALED DOCUMENT as to Roman Hernando Suarez-Lopez

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Attached to D.E. # 82